

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

LARRY T. SAWYER,

Plaintiff,

v.

KEN MILLER,
JAMES MOSELY,
EDITH HATCHER,
HOWARD CARLETON, and
MAJOR KILGORE,

Defendants.

No. 2:20-CV-264-TAV-CRW

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion filed herewith:

1. Plaintiff's motion for leave to proceed *in forma pauperis* [Doc. 2] is **GRANTED**;
2. Plaintiff is **ASSESSED** the civil filing fee of \$350.00;
3. The custodian of Plaintiff's inmate trust account is **DIRECTED** to submit the filing fee to the Clerk in the manner set forth above;
4. The Clerk is **DIRECTED** to provide a copy of this memorandum and opinion and the accompany order to the custodian of inmate accounts at the institution where Plaintiff is now confined, the Attorney General of the state of Kentucky, and the Court's financial deputy;
5. Even liberally construing the complaint in favor of Plaintiff, it fails to state a claim upon which relief may be granted under § 1983 as to Defendant Marshal Miller;
6. Accordingly, Defendant Marshal Miller is **DISMISSED** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915(A); and

7. The Clerk is **DIRECTED** to transfer the remainder of this action to the United States District Court for the Eastern District of Kentucky and to close this Court's file.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ John L. Medearis
CLERK OF COURT